

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/526,978	NOLAN, SEAN	
	Examiner	Art Unit	
	Khanh Dinh	2151	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/3/2006.
2. ☒ The allowed claim(s) is/are 1-4, 6-11, 13, 14, 21-24, 26 and 27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|--|---|

*Khanh Dinh*  
*Primary Examiner*

## **EXAMINER'S AMENDMENT**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/3/2006 has been entered.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin G. Shao (the Undersigned Attorney, Reg. No.45,095) on 4/13/2006.

The application has been amended as follows:

### **IN THE CLAIMS**

- 1. (Previously Presented) A computer implemented method comprising:  
storing product data on a server coupled to receive requests from client devices  
over a network, the product data representing one or more products

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offered by the server, wherein the requests from the client devices are received for purchasing at least one of the offered products;

generating a set of one or more common search requests for subsets of the product data based on how often the search requests for requesting the subsets of the product data have been received by the server from the client devices previously, wherein a search request is designated as a common search request if a number of the search requests received at the server from the client devices within a predetermined period of time exceeds a predetermined threshold;

performing searches in one or more databases associated with the server in response to the set of common search requests to identify one or more products;

storing on the server a result of the searches based on the common search requests associated with the identified one or more products;

receiving at the server a subsequent search request from a client device over the network;

the server determining whether the subsequent search request is equivalent to one of the previously performed common search requests whose search results are stored in the server;

providing results from the stored results of the common search requests previously generated in response to the common search requests without

- performing a search for the subsequent search request, if the subsequent search request is equivalent to one of the common search requests;
- performing the search for the subsequent search request if the subsequent search request is not equivalent to one of the previously performed common search requests; and
- designating the subsequent search request as a common request if a number of the subsequent search request received within the predetermined period of time exceeds the predetermined threshold.
2. (Previously Presented) The method of claim 1 wherein the product data is stored on one of a plurality of servers, and further wherein and all requests from a particular user during a session are directed to a single server.
3. (Original) The method of claim 2 wherein a session comprises all requests that occur between a first request of the session and a predetermined period of time during which no requests are received by the server.
4. (Previously Presented) The method of claim 3, wherein the product data and information related to the session are maintained in volatile memory of the server.
5. (Canceled)

6. (Previously Presented) The method of claim 1 wherein the set of one or more common search requests comprises one or more searches for a category of information related to various products including at least one medicine product offered by the server over the network.

7. (Previously Presented) The method of claim 6 wherein the data stores product information for use with an electronic commerce World Wide Web site, and wherein at least one search request for at least one medicine product is designated as a common search request based on whether the at least one search request for the at least one medicine product is commonly used in a specific season of a year at the time of the at least one request is received at the server.

8. (Previously Presented) A machine-readable medium having stored thereon sequences of instructions that, when executed by one or more processors, cause one or more electronic devices to:

store product data on a server coupled to receive requests from client devices over a network, the product data representing one or more products offered by the server, wherein the requests from the client devices are received for purchasing at least one of the offered products;

generate a set of one or more common search requests for subsets of the product data based on how often the search requests for requesting the subsets of the product data have been received by the server from the

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client devices previously, wherein a search request is designated as a common search request if a number of the search requests received at the server from the client devices within a predetermined period of time exceeds a predetermined threshold;

perform searches in one or more databases associated with the server in response to the common search requests to identify one or more products;

store on the server a result of the searches based on the common search requests associated with the identified one or more products;

receive at the server a subsequent search request from a client device over the network;

determine by the server whether the subsequent search request is equivalent to one of the previously performed common search requests;

provide results from the stored results of the common search requests previously generated in response to the common search requests without performing a search for the subsequent search request, if the subsequent search request is equivalent to one of the common search requests;

perform the search for the subsequent search request if the subsequent search request is not equivalent to one of the previously performed common search requests; and

designate the subsequent search request as a common request if a number of the subsequent search request received within the predetermined period of time exceeds the predetermined threshold.

9. (Previously Presented) The machine-readable medium of claim 8 wherein the product data is stored on one of a plurality of servers, and further wherein and all requests from a particular user during a session are directed to the server.

10. (Previously Presented) The machine-readable medium of claim 9 wherein a session comprises all requests that occur between a first request of the session and a predetermined period of time during which no requests are received by a single server.

11. (Previously Presented) The machine-readable medium of claim 10, wherein the product data and information related to the session are maintained in volatile memory of the server.

12. (Canceled)

13. (Previously Presented) The machine-readable medium of claim 8 wherein the set of one or more common search requests comprises one or more searches for a category of information related to various products including at least one medicine product offered by the server over the network.

14. (Previously Presented) The machine-readable medium of claim 13 wherein the database stores product information for use with an electronic commerce World Wide Web site, and wherein at least one search request for at least one medicine product is designated as a common search request based on whether the at least one search request for the at least one medicine product is commonly used in a specific season of a year at the time of the at least one request is received at the server.

15.-20. (Canceled)

21. (Currently Amended) [[A]] Computer [[computer]] data [[signal]] instructions embodied in [[transmission]] a computer readable storage medium [[comprising instructions]] that, when executed by one or more processors, cause one or more electronic devices to:

store product data on a server coupled to receive requests from client devices over a network, the product data representing one or more products offered by the server, wherein the requests from the client devices are received for purchasing at least one of the offered products;

generate a set of one or more common search requests for subsets of the product data based on how often the search requests for requesting the subsets of the product data have been received by the server from the client devices previously, wherein a search request is designated as a



common search request if a number of the search requests received at the server from the client devices within a predetermined period of time exceeds a predetermined threshold

perform searches in one or more databases associated with the server in response to the set of common search requests to identify one or more products;

store on the server a result of searches based on the common search requests;

receive at the server a subsequent search request from a client device over the network;

determine by the server whether the subsequent search request is equivalent to one of the previously performed common search requests;

provide results from the stored results of the common search requests previously generated in response to the common search requests without performing a search for the subsequent search request, if the subsequent search request is equivalent to one of the common search requests;

perform the search for the subsequent search request if the subsequent search request is not equivalent to one of the previously performed common search requests; and

designate the subsequent search request as a common request if a number of the subsequent search request received within the predetermined period of time exceeds the predetermined threshold.

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22. (Currently Amended) The computer data instructions of claim 21 wherein the product data is stored on one of a plurality of servers, and further wherein and all requests from a particular user during a session are directed to the server.

23. (Currently Amended) The computer data instructions of claim 22 wherein a session comprises all requests that occur between a first request of the session and a predetermined period of time during which no requests are received by a single server.

24. (Currently Amended) The computer data instructions of claim 23, wherein the product data and information related to the session are maintained in volatile memory of the server.

25. (Canceled)

26. (Currently Amended) The computer data instructions of claim 21 wherein the set of one or more common search requests comprises one or more searches for a category of information related to various products including at least one medicine product offered by the server over the network.

27. (Currently Amended) The computer data instructions of claim 26 wherein the database stores product information for use with an electronic commerce

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World Wide Web site, and wherein at least one search request for at least one medicine product is designated as a common search request based on whether the at least one search request for the at least one medicine product is commonly used in a specific season of a year at the time of the at least one request is received at the server.--

***Allowable Subject Matter***

3. Claims 1-4, 6-11, 13, 14, 21-24, 26 and 27 are allowed.

***Reason for allowance***

4. This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104(e). In this case, the substance of applicant's remarks filed on 3/3/2006 with respect to the added claim limitation point out the reason claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).

### Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Khanh Dinh*

Khanh Dinh  
Primary Examiner  
Art Unit 2151  
4/14/2006